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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,373	12/17/2001	Robert Louis Vitale	GP-301381	2826

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CHRISTOPHER DEVRIES  
General Motors Corporation  
Legal Staff  
P.O. Box 300, Mail Code 482-C23-B21  
Detroit, MI 48265-3000

EXAMINER

TRAN, TAM D

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/023,373

Applicant(s)

VITALE ET AL.

Examiner

Tam D. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-21 are rejected under 35 U. S.C. 103(a) as being unpatentable over Hofmann (USPN 5396233) in view of Bantli (USPN 5657008)

2. In regard to claim 1, 9, 21, Hofmann teaches a method for identifying and registering a vehicle, comprising: receiving and storing vehicle identification and registration information in a remote control unit (central computer); comparing (checking) the information stored in the remote control unit with data stored in the vehicle; see col.1 lines 57-col.2 line 5; and displaying at least a portion of the vehicle identification and registration information on an electronic license plate. See col.3 lines 6-10. Hofmann does not teach transferring the vehicle identification and registration information in the remote control unit to the vehicle by wireless transmission; However, Bantli teaches transferring the vehicle identification and registration information in the remote control unit to the vehicle by wireless transmission. See col.6 lines 46-65. It would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the method of Hofmann into the system of Bantli because the wireless transferring system of Bantli would allow the police using the visual information in conjunction with radio frequency

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interrogation systems to electronically request and receive the same information provided visually by the license plate. See col.1 lines 40-45.

3. In regard to claim 2, Hofmann teaches a method for identifying and registering a vehicle, wherein said receiving includes downloading vehicle identification and registration information from an authorizing agency's database to a customer's personal computer. See col.6 lines 17-50.

4. In regard to claim 3, Hofmann teaches a method for identifying and registering a vehicle, wherein said downloading includes transmitting the vehicle identification and registration information to the personal computer over the Internet. See col.6 lines 17-50.

5. In regard to claim 4, Hofmann teaches a method for identifying and registering a vehicle, further including transmitting credit card (magnetic card) information to the authorizing agency to pay a fee associated with receiving the vehicle identification and registration information. See col.3 lines 54-60.

6. In regard to claim 5, Hofmann teaches a method for identifying and registering a vehicle, wherein said comparing includes transmitting the vehicle identification and registration information to the vehicle to replace the data stored in the vehicle if the vehicle identification and registration information is new. See col.8 lines 59-68.

7. In regard to claim 6, Hofmann teaches a method for identifying and registering a vehicle, wherein said comparing includes unlocking at least one door in the vehicle if the vehicle identification and registration information matches the data stored in the vehicle. See col.8 lines 59-68.

8. In regard to claim 7, Hofmann teaches a method for identifying and registering a vehicle, wherein said comparing includes unlocking an ignition system of the vehicle if the vehicle

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identification and registration information matches the data stored in the vehicle. See col.8 lines 59-68.

9. In regard to claim 8, Hofmann teaches a method for identifying and registering a vehicle, further comprising updating the portion of the vehicle identification and registration information being displayed on the electronic license plate if the vehicle identification and registration information is new. See col.8 lines 1-7.

10. In regard to claim 10, Hofmann teaches a method for identifying and registering a vehicle, wherein said remote control unit is an FOB (magnetic card). See col.6 lines 30-35.

11. In regard to claim 11, Hofmann teaches a method for identifying and registering a vehicle, wherein said remote control unit is a smart card. See col.6 lines 30-35.

12. In regard to claim 12, Hofmann teaches a method for identifying and registering a vehicle, further comprising an interface unit on the vehicle for communicating with said remote control unit. See col.6 lines 17-20.

13. In regard to claim 13, Hofmann teaches a method for identifying and registering a vehicle, wherein said interface unit communicates with said remote control unit over wireless link (radio). See col.6 lines 25-35.

14. In regard to claim 14, Hofmann teaches a method for identifying and registering a vehicle, wherein said interface unit is a transponder. See col.6 lines 17-20.

15. In regard to claim 15, Hofmann teaches a method for identifying and registering a vehicle, wherein said at least one computer includes a comparator for comparing vehicle identification and registration information being received from said remote control unit with that

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stored in said at least one computer for updating said at least one computer if the vehicle identification and registration information is new. See col.8 lines 59-68.

16. In regard to claim 16, Hofmann teaches a method for identifying and registering a vehicle, further comprising a smart chip in said FOB. See col.6 lines 5-15.

17. In regard to claim 17, Hofmann teaches a method for identifying and registering a vehicle, wherein said FOB is a key FOB (magnetic card). See col.6 lines 30-35.

18. In regard to claim 18, Hofmann teaches a method for identifying and registering a vehicle, further comprising a smart chip in said smart card. See col.6 lines 30-35.

19. In regard to claim 19, Hofmann teaches a method for identifying and registering a vehicle, further comprising: a vehicle identification number tag coupled to said vehicle; and a smart chip embedded in said vehicle identification number tag for storing vehicle identification and registration information. See col.6 lines 52-58.

20. In regard to claim 20, Hofmann teaches a method for identifying and registering a vehicle, wherein said electronic license plate comprises: a light emitting diode back panel; and a liquid crystal display front panel. See col.9 lines 8-12.

### ***Response to Arguments***

21. Applicant's arguments with respect to independent claims 1, 9, 21 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicants' argument that the reference fails to show certain features of applicants' invention, it is noted that the features upon which applicants state "transferring the vehicle identification and registration information in the remote control unit to the vehicle by wireless

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transmission"; is not recited in the rejected claims filed in previous claims. For these reasons, the rejections are maintained.

***Conclusion***

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tam D. Tran** whose telephone number is **703-305-4196**. The examiner can normally be reached on MON-FRI from 8:30 – 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Matthew Bella** can be reached on **703-308-6829**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Tam Tran

*TT*  
Examiner

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**MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**